

Assembly Joint Resolution No. 19

RESOLUTION CHAPTER 60

Assembly Joint Resolution No. 19—Relative to reauthorization of the federal Voting Rights Act of 1965.

[Filed with Secretary of State June 27, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 19, Dymally. Voting Rights Act of 1965.

This measure would memorialize the President and Congress of the United States to declare their public support for reauthorizing the federal Voting Rights Act of 1965, certain provisions of which are scheduled to expire in 2007 unless extended by Congress.

WHEREAS, The federal Voting Rights Act of 1965 is one of the Nation's most important civil and human rights victories leading to political empowerment and voter enfranchisement; and

WHEREAS, Section 5 of the act requires specified local jurisdictions to obtain approval from the United States Department of Justice or from the United States District Court for the District of Columbia before effectuating any changes to voting practices or procedures, based on historical patterns of discrimination in those specified jurisdictions; and

WHEREAS, Sections 6 to 9, inclusive, of the act authorize the federal government to send federal election examiners and observers to the specified jurisdictions when there is evidence of attempts to deny minority voters the right to vote; and

WHEREAS, Section 203 of the act requires certain jurisdictions to provide bilingual language assistance to voters, based on those jurisdictions having a specified concentration of citizens with limited proficiency in English; and

WHEREAS, The foregoing provisions of the act are designed to periodically expire and be renewed after the United States Congress holds hearings and makes legislative findings that the provisions remain necessary to protect the voting rights of historically disenfranchised groups; and

WHEREAS, Those provisions of the act are currently scheduled to expire in 2007 unless Congress extends them; and

WHEREAS, There is concern that making those provisions of the act permanent or applicable to all local jurisdictions equally may make it vulnerable to constitutional challenge on the grounds that the act is no longer "narrowly tailored" to address the specific injuries it was designed to remedy; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to declare their public support for reauthorizing the Voting Rights Act of 1965 as written, with jurisdiction-specific provisions designed to expire after a set period of time subject to renewal; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.